### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks.

### Rejection(s) under 35 U.S.C § 102

Claims 1, 5 stand rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,621,528 ("Kessler et al."). This rejection is respectfully traversed.

Kessler et al is not valid prior art to this application. As evidenced by the attached declaration under 37 C.F.R. § 1.131, the present invention was made prior to the effective 102(e) date of Kessler et al. Accordingly, withdrawal of this rejection is respectfully requested.

### Rejection(s) under 35 U.S.C § 103

Claims 2, 3, and 4 stand rejected under 35 U.S.C. § 103 as obvious over Kessler et al. This rejection is respectfully traversed.

Kessler et al is not valid prior art to this application. As evidenced by the attached declaration under 37 C.F.R. § 1.131, the present invention was made prior to the effective 102(e) date of Kessler et al. Accordingly, withdrawal of this rejection is respectfully requested.

U.S. Patent Application Serial No. 09/912,441 Attorney Docket No. 04995.022001

### **Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995.022001).

Respectfully submitted,

Date: 2/20/01/

Jonathan P. Osha, Reg. No. 33,986

Rosenthal & Osha L.L.P.

One Houston Center, Suite 2800

1221 McKinney Street

Houston, TX 77010

Telephone: (713) 228-8600 Facsimile: (713) 228-8778

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# MGB CORPORATION

Mr. Osha

February 12, 2004

Page 2

Your ref.: 04995/022001

Our ref.: F29-135008M/YAH

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### APPLICATION FOR PATENT/UTILITY MODEL APPLICATION

Date of Decision: February 15, 2000

(3)

Date of Reception: January 27, 2000

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APR 2 7 2004

[Column filled-in by Drafter]

. Technology Center 2600

A) Number of Invention (Please fill-in a number of idea.)

B) Title of Invention (Please fill-in a name of invention.)

Display of DTV receiving channel

C) Will the invention be carried out? (Please check O to anyone.)

Yes Project name etc.: No

D) Drafter (Please fill-in full name and staff code.)

1. Yoshihiro YAMANISHI

E) Summary (Please fill-in an object and an effect separately, and please attact) brief drawing if possible.)

[Object]

To display a list of multiple channels of a DTV

[Effect]

The multiple channel information which is currently received is displayed and it is possible for a user to easily select a station.

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Page 3

Mr. Osha

**6** 

### APPLICATION FOR PATENT/UTILITY MODEL APPLICATION

2/2

**6** 

[Content/Structure of embodiment]

In a DVT, if a multiple broadcasting is transmitted, all CHs transmitted in multiple and displayed upon CH display and CH up/down, so that a user easily selects a channel. It is possible to display the data on the basis of the information transmitted onto a PSIP table.

[Drawing, Circuit diagram, Flowchart and Block diagram etc.]

(3)

(Current)

**(9**)

In a case that three sub-CHs are transmitted to Main CH 13, when CH 13-1 is viewed. CBS 13-1 is displayed in a color different from those of the other CHs.

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If a CH is upped, a CH 13-2 is received, and it is displayed in a manner different from those of the other CHs.

0

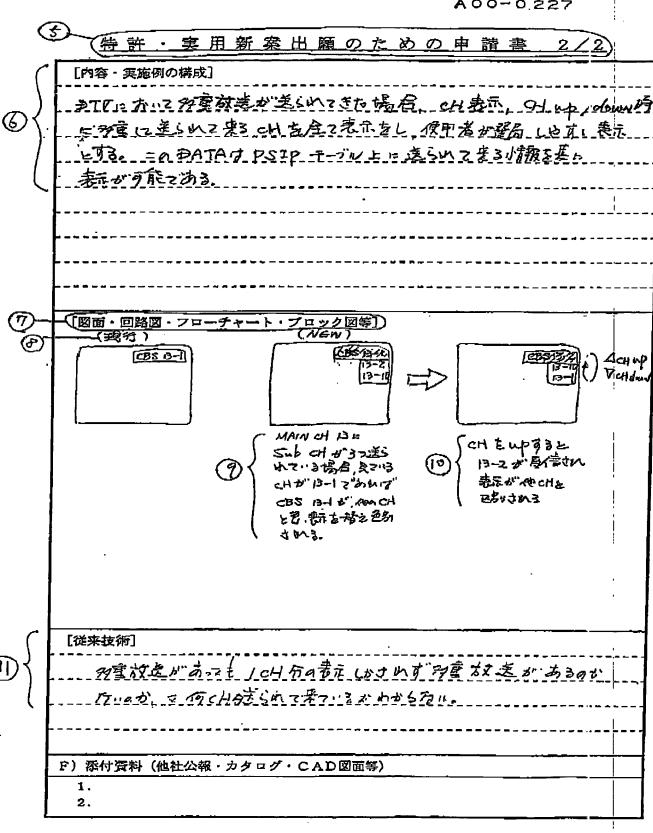
[Prior art]

Even if a multiple broadcasting is transmitted, only one CH is displayed, and it is impossible to know whether any multiple broadcasting is transmitted or not and it is impossible to know how many CHs are transmitted.

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PAGE 4/5 \* RCVD AT 4/27/2004 3:07:48 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/3 \* DNIS:7465878 \* CSID:71322887787 DURATION (mm-ss)-91-20

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PAGE 5/5\* RCVD AT 4/27/2004 3:07:48 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/3\* DNIS:7465878 \* CSID:7132288778 \* DURATROM (IDD:55) QL/20- [D]



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Date:	April 27, 2004	File: 04995.022001	
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Re:	Patent Application Serial No. 09/912,4	141	
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Rosenthal & Oaha

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U.S. Patratt Application Serial No. 09/112.441 Amorney Docket No. 04775 022001

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yochihiro YAMANISHI 09/912,441

Art Unit: 2614 Examiner: 1. DESIR

July 24, 2001 Filed:

Confirmation No.: 4439

Tide: RECEIVER FOR DIGITAL BROADCASTING

Assistant Commissioner for Patents Washington, DC 20231

### I, bereby declare that:

- I am the inventor of the present application, i.e., U.S. Patent Application No. 09/912,441.
- I am currently employed by Funai Electric Co., LTD., who is the assigned of the present application.
- I conceived and androod to practice the invention described in the present ... application.
- The invention described in the present application was conceived price to May 22, ... 4. 2000, i.e., prior to the effective 102(e) date of U.S. Patent No. 6,621,528 B1 ("Kessler et al").
- The dute of, at least, conception of the invention is evidenced by the enclosed s. internal application for patentiality model form (reducted). A partial translation of the internal application for patent/utility model form is also enclosed.
- I diligently worked on the reduction to practice of the invention from, at least, the date established by the internal application for parent/utility roods! form until, at least, the date of constructive reduction to practice established by the filing of Japanese Patent Application No. 2000-005232 on July 24, 2000.

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Rosenthal & Osba

**2004** 

knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopartize the validity of the application or any patent issued thereon.

Signed this day 18 of February, 2004.

Y SANSKO YAMANISHI

U.S. Parent Application Serial No. 09/312,441 Amothey Docket No. 04995 022001

L Yoshibito YAMANISHI, hereby declare that all statements made herein of my own